

FORMALITIES

The Applicants respectfully bring to the Examiner's attention that a Preliminary Amendment amending claim 1 was filed on March 26, 2003, receipt of which was acknowledged on April 1, 2003. The Office Action Summary provides no indication that the Preliminary Amendment was included in the Examiner's review. Accordingly, the Applicants respectfully request that the Examiner acknowledge receipt and consideration of the Preliminary Amendment.

REMARKS

Claims 1 through 14 are pending in the subject application. Claims 1-6, 10-12, and 14 stand rejected under 35 U.S.C. § 102(b). Claims 7-9 and 13 stand rejected under 35 U.S.C. § 103(a).

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the following remarks.

35 U.S.C. § 102(b) REJECTIONS

The Examiner has rejected claims 1-6, 10-12, and 14 under 35 USC 102(b) as being anticipated by U.S. Patent Number 5,852,500 to Yoshino ("Yoshino" or the "Yoshino Reference"). The Applicants respectfully traverse the grounds for rejection based on the following remarks.

The present invention provides a facsimile apparatus having a multi-address transmission function that is capable of peer-to-peer multi-address transmission through a public switched telephone network ("PSTN") and the Internet. See, e.g., Specification, page 1, lines 8-14. Indeed, the present invention "is capable of multi-

address transmission of one image data in both the facsimile mode and the electronic mail mode." Id., page 2, lines 13-15 (emphasis added). In short, as recited in claim 1, the apparatus includes a "function of multi-address transmission of image data in a plurality of different communication modes."

In contrast, the Yoshino reference relied on by the Examiner merely discloses an apparatus having a multi-address call function for use over a PSTN. See, e.g., Yoshino, col. 3, lines 21-23. More specifically, according to Yoshino:

In order to perform a multi-address call, the following three schemes are available to control selection orders of destinations.

The first scheme is an all-destination multi-address call. All the destinations are sequentially addressed. A disconnected destination during sequential addressing is addressed again later.

The second scheme is a one-destination multi-address call. When each designation is addressed and it is disconnected, it is addressed again without addressing the next destination.

The third scheme is a group multi-address call. The destinations are divided into several groups, and any disconnected destinations are addressed again in units of groups.

The above three schemes are generally specified during the manufacture of facsimile apparatuses in accordance with different delivery destinations.

More specifically, only one multi-address call scheme is set in each conventional facsimile apparatus, and this apparatus can be used within only a corresponding delivery destination.

When a facsimile apparatus employs only one multi-address call scheme, it cannot always perform an efficient multi-address call.

Id., col. 1, lines 19-34. Yoshino merely provides a telephone number storing RAM 32 and addresses facsimile transmission destinations based on dialing. The ability to provide multi-address transmission of image data using a plurality of communication modes, e.g., the Internet, or both the Internet and a PSTN is not taught, mentioned or

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suggested. Accordingly, the Applicants respectfully assert that, the Yoshino reference does not anticipate the invention as claimed.

Thus, it is respectfully submitted that, claims 1-6, 10-12, and 14 satisfy the requirements of 35 U.S.C. 100, et seq., especially § 102(b), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

#### 35 U.S.C. § 103(a) REJECTIONS

The Examiner has rejected claims 7-9 under 35 USC 103(a) as being unpatentable over Yoshino in view of U.S. Patent Number 5,668,640 to Nozawa, et al. ("Nozawa" or the "Nozawa Reference"); and claim 13 under 35 USC 103(a) as being unpatentable over Yoshino in view of Nozawa further in view of the prior art. The Applicants respectfully traverse the grounds for rejection based on the following remarks.

Nor can the Nozawa reference and/or the known prior art make up for the deficiencies of the Yoshino reference. For example, the Nozawa reference likewise discloses a facsimile apparatus that can transmit data stored in memory directly to another facsimile device via a PSTN. Referring to FIGS. 1 and 3, Nozawa only discloses a telephone line and destination facsimile numbers, respectively. The ability to provide multi-address transmission of image data using a plurality of communication modes, e.g., the Internet, or both the Internet and a PSTN is not taught, mentioned or suggested. Accordingly, the Applicants respectfully assert that, the Yoshino and Nozawa references do not make the invention as claimed obvious.

Thus, it is respectfully submitted that, claims 7-9 and 13 satisfy the requirements of 35 U.S.C. 100, et seq., especially § 103(a), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

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The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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